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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,802	09/17/2001	Roland Kreutzer	33796	8835

29933 7590 08/21/2003

PALMER & DODGE, LLP  
KATHLEEN M. WILLIAMS  
111 HUNTINGTON AVENUE  
BOSTON, MA 02199

EXAMINER

WHITEMAN, BRIAN A

ART UNIT	PAPER NUMBER
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1635

26

DATE MAILED: 08/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
091889,802	9/17/2001	Kreutzer	

EXAMINER	
B. Whitman	
ART UNIT	PAPER NUMBER
1635	2925

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Kathleen Williams (3) Karen Lacourciere  
(2) Amy DeCloux (4) Brian Whitman

Date of Interview 8/20/03

Type: ☒ Telephonic ☐ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: \_\_\_\_\_

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 221-225, 232-239, 241, 245, 247

Identification of prior art discussed: Kmiec et al and Alfonso et al.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed  
112 1st issue and prior art rejections. Examiner will consider applicant's  
arguments and amendment when submitted in writing.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

*Karen Lacourciere*  
KAREN LACOURCIERE  
PATENT EXAMINER

PTOL-413A (08-03)  
Approved for use through 07/31/2008. OMB 0831-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No. 09/889802 First Named Applicant: Kreutzer  
Examiner: Brian Whiteman Art Unit: 1635 Status of Application: NonFinal

#### Tentative Participants:

(1) Brian Whiteman (2) Kathleen Williams  
(3) Amy DeCloux (4) Karen Lacourciere

Proposed Date of Interview: 8/20/03 Proposed Time: 3 (AM/PM)

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO  
If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej 102</u>	<u>221-225</u> <u>232-239</u> <u>243-245</u>	<u>Kmiec et al</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) <u>Rej 102</u>	<u>221, 223</u> <u>224</u>	<u>Alfonzo et al</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) <u>112<sup>1st</sup></u>	<u>232-239</u> <u>245, 247</u>	<u>—</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

- (1) The instantly claimed dsRNA is distinct from that taught by Kmiec et al (single copy)
- (2) Which claims are rejected by Alfonso? Instant dsRNA is distinct from Alfonso (parasitic)
- (3) Does spec support an in vivo <sup>transgenic</sup> host cell comprising an exo. oligonucleotide?

An interview was conducted on the above-identified application on \_\_\_\_\_.

#### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

Brian Whiteman  
(Examiner/SPE Signature)

Karen Lacourciere  
KAREN LACOURCIERE  
PATENT EXAMINER

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.